

THE CONTEST GOING ON.

EXJUDGE SMITH STILL ON THE STAND.

TESTIFYING ABOUT MRS. STEWART'S PRESENTS AND REQUESTS—A DIARY AND LETTERS.

At no time during yesterday's hearing of the *Stewart* case were there more than half a dozen vacant seats in the room. The interesting testimony of the day before had drawn many who were present then to return to hear the further testimony of J. Lawrence Smith. New testimony of the day before had drawn many who were present then to return to hear the further testimony of J. Lawrence Smith. New testimony of the day before had drawn many who were present then to return to hear the further testimony of J. Lawrence Smith.

After examining Mr. Smith with a view to showing that he had been sincere in supporting, or not opposing, the will until his wife's share of the property had been arranged by Surrogate Ransom Russell, upon being reminded of the fact that he had not been sincere in supporting, or not opposing, the will until his wife's share of the property had been arranged by Surrogate Ransom Russell, upon being reminded of the fact that he had not been sincere in supporting, or not opposing, the will until his wife's share of the property had been arranged by Surrogate Ransom Russell.

MRS. STEWART'S PRESENTS. Two plans had suggested themselves to his mind: one was to take action against Mrs. Stewart as being of unsound mind. This, however, had carried no weight with him. Mrs. Stewart had given his wife her home at No. 337 Fifth-ave.

A preliminary order for the partition of the estate had been drawn up for the contestants. It was too long. He thought that Mr. Evans had made it too long. He thought that the long sentences contained therein were not Mr. Evans's. As for the second agreement, Mr. Choate might have drawn it up. There was nothing to conceal about the paper.

As soon as Surrogate Ransom Russell immediately ordered the seat after the noon recess. Mr. Choate immediately ordered the seat after the noon recess. Mr. Choate immediately ordered the seat after the noon recess. Mr. Choate immediately ordered the seat after the noon recess. Mr. Choate immediately ordered the seat after the noon recess.

WORKING FOR VANTAGE-GROUND. "Then nothing that you had known that had occurred in Mrs. Stewart's life was of sufficient importance to prevent your extending an invitation to them to act as executors?" asked Mr. Russell.

"There was no invitation whatever."

"Had anything occurred then to prevent your assenting to their entering upon their duties?" asked Mr. Russell.

"I never saw an account of it."

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"I thought that it had been manipulated some way. I expected to find it in the accounts."

In explaining about examining the books, Mr. Smith said that he began on the wrong end. He presented books to him. He presented books to him. He presented books to him. He presented books to him. He presented books to him.

HE WANTS THE ORDER VACATED. In the Supreme Court, Chambers, yesterday, before Justice O'Brien, Frank Lawrence, counsel of the defendant, Hamilton and Dayton Railroad Company, asked that the order requiring the company to show cause why the venue should not be changed in its suit against Live and Stayner be vacated.

TO TRY HUSBAND AND WIFE SEPARATELY. In the Court of Oyer and Terminer yesterday, Justice O'Brien, in the case of *Stewart v. Stewart*, ordered that the husband and wife be tried separately on the indictment charging them with presenting fraudulent claims for insurance on their cottage at Flushing to the London Assurance Company.

HOW HE SIGNED LEASES. In signing leases the witness refused to recognize Mr. Hilson as executor. He preferred to call him "trustee, executor, etc." He communicated his ideas about this to Mr. Hilson by letter.

HE HAD NEVER BEEN TO THE HOUSE. Mr. Hilson, who was at his house at Saratoga, said that he must have believed that Mr. Hilson was using the Stewart property to make these investments. The witness had observed in Mr. Stewart's will that one million dollars had been left to Mr. Hilson. He did not think, however, that Mrs. Stewart had troubled herself to think that this sum had been left to Mr. Hilson.

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THE FOREIGN-BORN ACTORS.

NOT TO USE MONEY TO KEEP THEM OUT.

CONTINUING THE INJUNCTION AGAINST THE PRESIDENT OF THE EDWIN FORREST LODGE.

The temporary injunction obtained by Charles P. Flanagan against the Edwin Forrest Lodge of the Actors' Order of Friendship, and others, restraining them from applying the funds of the lodge in aid of legislation to prevent foreign-born actors from making contracts to act in this country, has been continued pending the trial by Justice Dugan, of the Superior Court. In an opinion handed down yesterday, Judge says:

"The question presented by the papers submitted is whether the Edwin Forrest Lodge (an affiliated lodge of the Actors' Order of Friendship), in ordering the sum of \$500 to be paid to a certain 'labor committee,' for use in defraying the expenses of the Edwin Forrest Lodge, is acting in violation of the law prohibiting the coming into this country of persons arriving from other countries under contract for a term of service in the United States, and within the spirit of the provisions of the constitution and objects of the association."

Another victory for the Bell Telephone. Judge Wallace, of the United States Circuit Court, yesterday rendered a decree for the complainant in the suit of the American Bell Telephone Company against the Wallace Electric Telephone Company, for infringement of patent. Judge Wallace said:

It seems sufficient to state that the examination of the record, which was presented to the court, showed that the Wallace Electric Telephone Company was in violation of the patent of the American Bell Telephone Company.

AGAINST THE BOARD OF ELECTRICAL CONTROL. The trial of the suit of the United States Illuminating Company against the Board of Electrical Control was before Justice Beach in the Supreme Court, Special Term. The prayer of the complaint is for an injunction restraining the defendants from interfering with the plaintiff's wires, poles, etc., and from interfering with the plaintiff's business.

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TOTAL RECEIPTS OF PRODUCE.

Per North River, Vessels and Railroads.

Item	Receipts	Per North River, Vessels and Railroads
Wheat	278,000 bushels	278,000 bushels
Barley	100,000 bushels	100,000 bushels
Oats	100,000 bushels	100,000 bushels
Rye	100,000 bushels	100,000 bushels
Flour	100,000 bushels	100,000 bushels
Other	100,000 bushels	100,000 bushels

GENERAL MARKET REPORT.

Building materials—Bricks are sold; other material generally steady. Quotations: Bricks—Hudson River, 100,000; Manhattan, 100,000; Long Island, 100,000.

Grain—Wheat, 100,000; Barley, 100,000; Oats, 100,000; Rye, 100,000; Flour, 100,000.

Stocks—Cotton, 100,000; Sugar, 100,000; Coffee, 100,000; Tea, 100,000; Spices, 100,000.

Metals—Gold, 100,000; Silver, 100,000; Copper, 100,000; Iron, 100,000; Steel, 100,000.

Textiles—Cotton, 100,000; Wool, 100,000; Linen, 100,000; Silk, 100,000; Rayon, 100,000.

Leather—Hides, 100,000; Skins, 100,000; Fur, 100,000; Suede, 100,000; Sheepskin, 100,000.

Other—Rubber, 100,000; Glass, 100,000; Paper, 100,000; Lumber, 100,000; Brick, 100,000.

Commodities—Sugar, 100,000; Coffee, 100,000; Tea, 100,000; Spices, 100,000; Oil, 100,000.

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